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**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:09-cv-01089-RMC**

NATIONAL BUSINESS AVIATION ASSOCIATION, INC. v.	Date Filed: 06/15/2009
FEDERAL AVIATION ADMINISTRATION	Date Terminated: 02/26/2010
Assigned to: Judge Rosemary M. Collyer	Jury Demand: None
Cause: 05:552 Freedom of Information Act	Nature of Suit: 895 Freedom of Information Act
	Jurisdiction: Federal Question

Plaintiff

**NATIONAL BUSINESS AVIATION
ASSOCIATION, INC.**

represented by **John C. Keeney , Jr.**
LEGAL AID SOCIETY OF THE
DISTRICT OF COLUMBIA
Barbara McDowell Appellate Advocacy
Project
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynne M. Baum
FEDERAL DEPOSIT INSURANCE
CORPORATION
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703-562-6243
Fax: 703-562-2475
Email: lbaum@fdic.gov
TERMINATED: 12/29/2009

V.

Defendant

**FEDERAL AVIATION
ADMINISTRATION**

represented by **Michelle Lo**
U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 514-5134
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LEAD ATTORNEY
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V.

Intervenor Defendant

PRO PUBLICA, INC.

represented by **Constance Morrow Pendleton**
DAVIS WRIGHT TREMAINE, LLP
1919 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20006-3401
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Laura Rose Handman
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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06/15/2009	<u>1</u>	COMPLAINT against FEDERAL AVIATION ADMINISTRATION (Filing fee \$ 350, receipt number 4616021510) filed by NATIONAL BUSINESS AVIATION ASSOCIATION, INC.. (Attachments: # <u>1</u> Exhibit 1-4, # <u>2</u> Civil Cover Sheet)(rdj) (Entered: 06/15/2009)
06/15/2009		SUMMONS (3) Issued as to FEDERAL AVIATION ADMINISTRATION, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 06/15/2009)
06/15/2009	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL BUSINESS AVIATION ASSOCIATION, INC. (rdj) (Entered: 06/15/2009)
06/15/2009	<u>3</u>	MOTION for Temporary Restraining Order by NATIONAL BUSINESS AVIATION ASSOCIATION, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Affidavit Lynne M. Baum)(rdj) (Entered: 06/15/2009)
06/15/2009	<u>4</u>	MOTION for Preliminary Injunction by NATIONAL BUSINESS AVIATION ASSOCIATION, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Affidavit Lynne M. Baum)(rdj) (Entered: 06/15/2009)
06/15/2009	<u>5</u>	SUMMONS Returned Executed by NATIONAL BUSINESS AVIATION ASSOCIATION, INC.. FEDERAL AVIATION ADMINISTRATION served on 6/15/2009, answer due 7/15/2009. (Baum, Lynne) (Entered: 06/15/2009)
06/15/2009	<u>6</u>	SUMMONS Returned Executed by NATIONAL BUSINESS AVIATION ASSOCIATION, INC.. (Baum, Lynne) (Entered: 06/15/2009)
06/15/2009	<u>7</u>	SUMMONS Returned Executed by NATIONAL BUSINESS AVIATION ASSOCIATION, INC.. (Baum, Lynne) (Entered: 06/15/2009)
06/16/2009	<u>8</u>	NOTICE of Appearance by Michelle Lo on behalf of FEDERAL AVIATION ADMINISTRATION (Lo, Michelle) (Entered: 06/16/2009)
06/18/2009	<u>9</u>	STIPULATION <i>and Agreed Order</i> by FEDERAL AVIATION ADMINISTRATION. (Lo, Michelle) (Entered: 06/18/2009)
06/22/2009	<u>10</u>	NOTICE of Appearance by Lynne M. Baum on behalf of NATIONAL BUSINESS AVIATION ASSOCIATION, INC. (Baum, Lynne) (Entered: 06/22/2009)
06/24/2009	<u>11</u>	MOTION to Intervene as a Defendant by PRO PUBLICA, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> LCvR 7.1 Disclosure Statement, # <u>4</u> Exhibit A to Memorandum)(nmw,) (Entered: 06/24/2009)

06/26/2009		MINUTE ORDER that the parties' stipulated scheduling order 9 is approved and so ordered. Signed by Judge James Robertson on June 26, 2009. (MT) (Entered: 06/26/2009)
06/30/2009	12	Case Randomly Reassigned to Judge Rosemary M. Collyer. Judge James Robertson no longer assigned to the case. (jeb,) (Entered: 06/30/2009)
07/15/2009	13	ANSWER to 1 Complaint by FEDERAL AVIATION ADMINISTRATION. Related document: 1 Complaint filed by NATIONAL BUSINESS AVIATION ASSOCIATION, INC..(Lo, Michelle) (Entered: 07/15/2009)
07/17/2009	14	NOTICE of Appearance by Laura Rose Handman on behalf of PRO PUBLICA, INC. (Handman, Laura) (Entered: 07/17/2009)
07/17/2009	15	Amended MOTION to Intervene & <i>Memorandum in Support Thereof</i> by PRO PUBLICA, INC. (Attachments: # 1 Exhibit 1 to Amended Motion to Intervene, # 2 Exhibit 2 to Amended Motion to Intervene, # 3 Exhibit A to Memo in Support of Amended Motion to Intervene)(Handman, Laura) (Entered: 07/17/2009)
07/23/2009	16	ORDER. An initial scheduling conference in this matter shall be held on August 25, 2009, at 2:30 p.m. See attached Order for further details. Signed by Judge Rosemary M. Collyer on 7/23/09. Signed by Judge Rosemary M. Collyer on 7/23/09. (lcrmc1) (Entered: 07/23/2009)
07/23/2009		Set/Reset Hearings: Initial Scheduling Conference set for 8/25/2009 02:30 AM in Courtroom 2 before Judge Rosemary M. Collyer. (cdw) (Entered: 07/23/2009)
07/29/2009	17	NOTICE of Filing of Administrative Record by FEDERAL AVIATION ADMINISTRATION (Lo, Michelle) (Entered: 07/29/2009)
07/29/2009	18	ADMINISTRATIVE RECORD by FEDERAL AVIATION ADMINISTRATION. (Lo, Michelle) (Entered: 07/29/2009)
07/31/2009	19	MOTION for Summary Judgment by NATIONAL BUSINESS AVIATION ASSOCIATION, INC. (Attachments: # 1 Declaration of Robert Lamond, Jr. and Exhibit A, # 2 Text of Proposed Order)(Baum, Lynne) (Entered: 07/31/2009)
07/31/2009	20	ENTERED IN ERROR.....Proposed MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> by PRO PUBLICA, INC. (Attachments: # 1 Text of Proposed Order)(Handman, Laura) Modified on 9/1/2009 (rdj). (Entered: 07/31/2009)
07/31/2009	21	MOTION for Summary Judgment by FEDERAL AVIATION ADMINISTRATION (Attachments: # 1 Declaration of Mark F. Novak, # 2 Text of Proposed Order)(Lo, Michelle) (Entered: 07/31/2009)

08/14/2009	22	MEET AND CONFER STATEMENT. (Lo, Michelle) (Entered: 08/14/2009)
08/25/2009		MINUTE ORDER vacating Initial Scheduling Conference. As this matter is likely to be decided on the basis of dispositive motions rather than trial, the initial scheduling conference set for August 25, 2009, at 2:30 p.m. is hereby VACATED. Signed by Judge Rosemary M. Collyer on 8/25/09. (lcrmc1) (Entered: 08/25/2009)
08/31/2009	23	ENTERED IN ERROR.....Memorandum in opposition to re 19 MOTION for Summary Judgment of <i>Plaintiff NBAA</i> filed by PRO PUBLICA, INC.. (Attachments: # 1 Response to Plaintiff's Local Rule 56.1 Statement, # 2 Text of Proposed Order) (Handman, Laura) Modified on 9/1/2009 (rdj). (Entered: 08/31/2009)
08/31/2009	24	Memorandum in opposition to re 21 MOTION for Summary Judgment, 20 Proposed MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> filed by NATIONAL BUSINESS AVIATION ASSOCIATION, INC.. (Attachments: # 1 Declaration of Robert Lamond Jr.)(Baum, Lynne) (Entered: 08/31/2009)
08/31/2009	25	Memorandum in opposition to re 19 MOTION for Summary Judgment filed by FEDERAL AVIATION ADMINISTRATION. (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 08/31/2009)
09/01/2009		NOTICE OF CORRECTED DOCKET ENTRY: re 23 Memorandum in Opposition, 20 Proposed MOTION to Dismiss <i>or, in the Alternative, for Summary Judgment</i> was entered in error and counsel was instructed to refrain from filing any future pleadings until the determination of the Motion to Intervene 11 and Amended Motion to Intervene 15 . (rdj) (Entered: 09/01/2009)
09/14/2009	26	REPLY to opposition to motion re 19 MOTION for Summary Judgment filed by NATIONAL BUSINESS AVIATION ASSOCIATION, INC.. (Keeney, John) (Entered: 09/14/2009)
09/14/2009	27	REPLY to opposition to motion re 21 MOTION for Summary Judgment filed by FEDERAL AVIATION ADMINISTRATION. (Lo, Michelle) (Entered: 09/14/2009)
09/21/2009	28	MINUTE ORDER granting 15 ProPublica's Motion to Intervene as Defendant. ProPublica shall file any dispositive motions, or oppositions to Plaintiff's dispositive motion, no later than September 28, 2009. Signed by Judge Rosemary M. Collyer on 9/21/09. (lcrmc1) (Entered: 09/21/2009)
09/21/2009		Set/Reset Deadlines: ProPublica to file any Dispositive Motions or Oppositions to Plaintiff's Dispositive Motion by 9/28/2009. (zmm,) (Entered: 09/22/2009)
09/28/2009	29	MOTION to Dismiss , <i>or in the Alternative, for Summary Judgment</i> by PRO PUBLICA, INC. (Attachments: # 1 Text of Proposed Order)(Handman, Laura) (Entered: 09/28/2009)

09/28/2009	30	Memorandum in opposition to re 19 MOTION for Summary Judgment filed by PRO PUBLICA, INC.. (Attachments: # 1 Response to Plaintiff's Local Rule 56.1 Statement, # 2 Text of Proposed Order)(Handman, Laura) (Entered: 09/28/2009)
09/28/2009	31	REPLY to opposition to motion re 29 MOTION to Dismiss , <i>or in the Alternative, 32 Motion for Summary Judgment</i> filed by PRO PUBLICA, INC. (Handman, Laura) Modified on 9/29/2009 to add linkage (rdj). (Entered: 09/28/2009)
09/28/2009	32	MOTION for Summary Judgment by PRO PUBLICA, INC. (See Docket Entry 29 to view document. Counsel is instructed to docket all parts of the motion in future). (rdj) (Entered: 09/29/2009)
12/29/2009	33	NOTICE OF WITHDRAWAL OF APPEARANCE as to NATIONAL BUSINESS AVIATION ASSOCIATION, INC.. Attorney Lynne M. Baum terminated. (Baum, Lynne) (Entered: 12/29/2009)
02/26/2010	34	MEMORANDUM AND OPINION. Signed by Judge Rosemary M. Collyer on 2/26/2010. (KD) (Entered: 02/26/2010)
02/26/2010	35	ORDER granting 21 the FAA's Motion for Summary Judgment; denying 19 the Motion for Summary Judgment filed by the National Business Aviation Association Inc.; and denying as moot 32 Motion for Summary Judgment and 29 Motion to Dismiss filed by intervenor Pro Publica Inc. This case is dismissed and closed. Signed by Judge Rosemary M. Collyer on 2/26/10. (KD) (Entered: 02/26/2010)

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